

REMARKS

Claims 1-12 remain pending in this application. Claims 1, 2 and 7-12 were previously presented. Claims 3-6 remain unchanged.

35 U.S.C. §102

Claims 1-2 and 7-8 stand rejected under 35 U.S.C. §102(b) as being anticipated by Dunn et al. (US Pat. No. 5,721,829). For a reference to anticipate a claimed invention, each and every element of the claim must be found in the reference.

Claim 1 recites, inter alia, a “method of providing a pause function for a broadcast program in a multi-client network, the method comprising...allocating predetermined storage limits in a storage device for a plurality of clients on the network...displaying a broadcast program to a client...receiving a pause request from the client...determining if the client's stored broadcast programming has reached the client's predetermined storage limit...pausing the display of the broadcast program if the client's stored broadcast programming has not reached the client's predetermined storage limit...storing the broadcast program in the storage device while the display of the broadcast program is paused...and displaying the stored broadcast program if the client's stored broadcast programming has reached the client's predetermined storage limit.” (Emphasis added).

In the office action, Dunn et al., from column 7, line 63 to column 8, line 10, is described as teaching the “displaying the stored broadcast program if the client's stored broadcast programming has reached the client's predetermined storage limit” element of claim 1. Applicant respectfully disagrees. Dunn et al., from column 7, line 63 to column 8, line 10, merely describes pausing the display of a VOD program when a user changes the channel from the channel displaying the VOD program to a channel displaying different programming. Afterwards, the display of the VOD programming is resumed when the user changes the channel back to the VOD channel. In contrast, claim 1 recites, inter alia, “displaying the stored broadcast program if the client's stored broadcast programming has reached the client's predetermined storage limit.” As a result, claim 1 contains an element not found in Dunn. Therefore, it is respectfully proposed that the rejection of amended claim 1 under 35 U.S.C. § 102(b) is overcome

in accordance with the above amendment and remarks and notice to that effect is earnestly solicited.

Claims 2 depends from amended claim 1 and should therefore also be allowable for the same reasons, as well as for the additional recitation contained therein. Applicant respectfully requests reconsideration of the rejection of the claim in view of the above amendments and remarks.

Independent claim 7 includes elements similar to the elements of independent claim 1 and should therefore be allowable for the same reasons discussed above as well as for the additional recitations contained therein. Therefore, it is respectfully proposed that the rejection for anticipation is overcome. Claim 8 being dependent on and further limiting independent claim 7, should be allowable for that reason, as well as for the additional recitations contained therein. Applicant respectfully requests reconsideration of the rejection of the claims in view of the above remarks.

35 U.S.C. §103

Claims 3-4 and 9-10 stand rejected under 35 U.S.C. §103(a) as being unpatenable over Dunn et al. (US Pat. No. 5,721,829) in view of Gardner et al. (US Pat. No. 5,583,995).

Claims 3-4 depend from claim 1 and should therefore also be allowable for the same reasons, as well as for the additional recitation contained therein. Applicant respectfully requests reconsideration of the rejection of the claims in view of the above amendments and remarks.

Claims 9-10 depend from claim 7 and should therefore also be allowable for the same reasons, as well as for the additional recitation contained therein. Applicant respectfully requests reconsideration of the rejection of the claims in view of the above amendments and remarks.

Claims 5-6 and 11-12 stand rejected under 35 U.S.C. §103(a) as being unpatenable over Dunn et al. (US Pat. No. 5,721,829) in view of Gelmen et al. (US Pat. No. 5,371,532).

Claims 5-6 depend from claim 1 and should therefore also be allowable for the same reasons, as well as for the additional recitation contained therein. Applicant

respectfully requests reconsideration of the rejection of the claims in view of the above amendments and remarks.

Claims 11-12 depend from claim 7 and should therefore also be allowable for the same reasons, as well as for the additional recitation contained therein. Applicant respectfully requests reconsideration of the rejection of the claims in view of the above amendments and remarks.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (818) 260-3727, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No fee is believed due other than the fees discussed above. However, if an additional fee is due, please charge the additional fee to Deposit Account 07-0832.

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